## **REMARKS**

The above Amendments and these Remarks are in reply to the Office Action mailed January 4, 2005 and an Advisory Action mailed April 12, 2005.

Claims 1-11 are allowed. Claims 12 and 15 have been amended in order to put the claims in better form for appeal. Claims 23-45 are cancelled. The outstanding rejection of claims 12-22 are currently appealed and subject to a concurrently filed APPEAL BRIEF.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: July 5, 2005

Kirk J. DeNiro

Reg. No. 35,854

VIERRA MAGEN MARCUS HARMON & DENIRO LLP 685 Market Street, Suite 540

San Francisco, California 94105-4206

Telephone: (415) 369-9660 x204

Facsimile: (415) 369-9665